

MINUTES

City of Carrollton

Mayor and Council Meeting

Monday, November 1, 2004
6:00 p.m.

**Public Safety Complex
Court/Council Chambers
115 West Center Street, Carrollton, Georgia**

I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, November 1, 2004 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:00 p.m. Members present: Mayor Wayne Garner, Councilmember Peter Balega, Councilmember Gerald Byrd, Councilmember Rusty Gray, and Councilmember Mandy Maierhofer. Members absent: none. Mayor Garner called the meeting to order at 6:00 p.m.

II. INVOCATION

Councilmember Byrd offered the invocation.

III. MINUTES October 4, 2004

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to approve the minutes of the meeting of October 4, 2004. Motion passed 5-0.

IV. ITEMS OF DISCUSSION

1. Resolution: Stanley Parkman

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to approve a resolution honoring Stanley Parkman. Motion passed 5-0.

2. Intergovernmental Contract/Joint Resolution (City-County SPLOST Agreement)

City Manager Coleman presented to the Mayor and Council for their consideration and approval an Intergovernmental Contract and Joint Resolution declaring the intention of the City of Carrollton and Carroll County to issue revenue bonds for SPLOST advance funding. City Manager Coleman advised that the City of Carrollton would request \$10,500,000, subject to approval. City Manager Coleman also noted that the bonds would be issued through the Carrollton Payroll Development Authority and underwritten by Merchant Capital, L.L.C.

Motion by Councilmember Byrd, seconded by Councilmember Gray to approve an Intergovernmental Contract/Joint Resolution for SPLOST Advance Funding. Motion passed 5-0.

3. Rezoning Request - Property located at 501 Rome Street Petitioner: Howard Lynn

Community Director Tracy Dunnivant presented to the Mayor and Council a rezoning request for property located at 501 Rome Street from R-10 to C1 to allow for the renovation of the existing home into a banquet/meeting facility. Community Director Dunnivant advised that the Planning Commission has reviewed the application and recommended denial of the rezoning request. Mr. Howard Lynn, petitioner, appeared before the Mayor and Council and requested that said rezoning request be tabled for sixty (60) days to allow him additional time to weigh his options as they relate to the project and the future use of the property.

Motion by Councilmember Gray, seconded by Councilmember Byrd to table rezoning request for 60 days. Motion passed 5-0.

4. Rezoning Request – Property located at 827 Cedar Street

Petitioner: Callie Mohn

Community Director Tracy Dunnavant presented to the Mayor and Council a rezoning request from R-20 to OI for property located at 827 Cedar Street to allow for the renovation of the existing home into a chiropractic office. Community Director Dunnavant advised the Mayor and Council that the Planning Commission has reviewed the application and has recommended approval of the rezoning request.

Motion by Councilmember Gray, seconded by Councilmember Balega to approve rezoning request. Motion passed 5-0.

5. Garbage Truck Bids

City Manager Coleman advised the Mayor and Council that bids were received for one (1) 2005 Freightliner MS Chassis, 25 yard rear loading garbage truck as follows:

| VENDOR | BID |
|----------------------------------|-----------|
| Consolidated Disposal Systems | \$111,237 |
| Atlanta Refuse Sales and Service | \$112,537 |
| Atlanta Freightliner | \$111,400 |

City Manager Coleman advised the Mayor and Council that it is staff's recommendation to award the bid to the low bidder, Consolidated Disposal Systems, at a price of \$111,237.

Motion by Councilmember Maierhofer, seconded by Councilmember Gray to award bid for Garbage Truck to low bidder, Consolidated Disposal Systems, at a price of \$111,237. Motion passed 5-0.

6. Alcoholic Beverage Ordinance

City Manager Coleman presented to the Mayor and Council for their consideration possible revisions to the City's Alcoholic Beverage Ordinance in the event the proposed distilled spirits referendum is passed.

The proposed revisions presented were as follows:

- Package distilled spirit license: retail sale of distilled sprits in the original package, \$5,000.00
- Application distilled spirit license: \$500.00
- No person shall have an interest in more than one (1) license for the package sale of distilled spirits issued by the City.
- No retail dealer license for the sale of distilled spirits shall be issued to any applicant whose building where the business will be conducted (a) is not "free standing" (i.e., is part of a larger building or structure) and (b) does not include a showroom with a minimum of five thousand (5,000) square feet and an additional storage area of at least five hundred (500) square feet. For distilled spirits retail dealers desiring to sell malt beverages and wine in addition to distilled spirits, at least an additional five hundred (500) square feet of showroom and at least an additional five hundred (500) square feet of storage area is required over and above the minimum square feet for the establishment set forth above. In addition to the minimum square footage, retail dealers for the sale of distilled spirits shall maintain a minimum inventory of at least three hundred thousand dollars (\$300,000.00) in distilled spirits available for sale. Retail dealers selling malt beverages and wine in addition to distilled spirits shall maintain a minimum fifteen thousand dollars (\$15,000.00) inventory in malt beverages and wine.
- **MAXIMUM NUMBER OF DISTILLED SPIRITS RETAIL LICENSES PERMITTED**
This chapter anticipates the issuance of a maximum of three (3) licenses for the sale of distilled spirits by the package. No additional licenses shall be authorized unless and until the population of Carrollton reaches twenty-five thousand (25,000), at which time one (1) additional license may be permitted for each seven thousand five hundred (7,500) population over twenty five thousand (25,000). In determining population, the city shall utilize the most recent population figures published by the Atlanta Regional Commission. In the absence of such figures, the city shall utilize the U.S. Census of 2000 or any future decennial census.
- For distilled spirits package sales, the licensee's premises cannot be within fifteen hundred (1,500) feet of any other business licensed to sell distilled spirits by the package.

City Manager Coleman noted that if the referendum passed, licenses would be issued on a first-come-first-served basis.

City Manager Coleman also advised the Mayor and Council of a proposed addition to the Ordinance regarding Alcoholic beverage caterers as follows:

- “Licensed alcoholic beverage caterer means any person licensed for the sale of alcoholic beverages by the state who possesses a license by a local government in the state authorizing such person to sell or dispense alcoholic beverages by the drink off licensed premises and in connection with an authorized catered function.
- Licenses may be obtained for the purpose of selling or dispensing alcoholic beverages by the drink on premises at which authorized catered functions are to be held. Such licenses shall be annual, and the procedures for securing such licenses and the terms thereof, including license fees, shall be as provided in Article II of this chapter. For purposes of licenses and application fees, “alcoholic beverage caterers” shall be treated as and subject to the same provisions relating to restaurants.

7. Appointment: Carrollton Redevelopment Authority (2)

Councilmember Gray requested that no formal appointment be made to the Carrollton Redevelopment Authority until after the election on November 2, 2004.

V. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd expressed his appreciation to City staff and citizens in attendance at the meeting.

Mayor Garner expressed his appreciation to Southwire Company for the recent concert event held in recognition of Carrollton's 175th Birthday.

VI. CITY MANAGER ANNOUNCEMENTS

City Manager Coleman informed those in attendance that the City of Carrollton Water Department was recently awarded the “Distribution System of the Year” award by the Georgia Water and Pollution Control Association (GW&PCA). City Manager Coleman expressed his appreciation to Assistant City Manager Grizzard and staff for their hard work and dedication and congratulated them on the award. Assistant City Manager Grizzard advised that the award is the culmination of hard work from several departments; including the system maintenance department, the water treatment plant, the engineering department, and the fire department. Assistant City Manager Grizzard also noted that significant enhancements have been made by all involved.

VII. CITIZEN COMMENTS

Mr. John McGee expressed concerns regarding the new sign at Gold's Gym on Maple Street. Mr. McGee advised that he feels that the sign is dangerous, intrusive, and is a distraction. He stated that a petition has been signed regarding the sign with citizens wanting to have the sign removed. Mr. McGee said that he feels that the sign is in violation of the City's Sign Ordinance. Mr. McGee made possible suggestions regarding the sign as follows: 1. Placing the sign on the building or 2. Turning the sign so that it is facing the road so that drivers could read the sign without adversely affecting traffic safety. Ms. Suzie Nagle expressed a complaint regarding the sign. Ms. Nagle advised other signs similar to the Gold's Gym sign are on major highways, noting that Maple Street is quite and she would like for it to remain that way. Ms. Nagle also noted that if the sign is allowed to remain, that it would set a precedent for similar signs to be erected, thus creating visual pollution.

Building Official Larry Radcliff advised that the sign is computer generated, which is in compliance with the City's Sign Ordinance.

Mayor Garner advised Mr. McGee and Ms. Nagle that the City's Sign Ordinance would be referred to the City Attorney Chuck Conerly for review.

Councilmember Maierhofer noted that she feels that the sign is neat and well done.

Building Official Larry Radcliff advised that the City is in the process of rewriting the Sign Ordinance.

Mr. Harold Neal, owner of Gold's Gym, advised the Mayor and Council that he has made a considerable investment in the sign and is proud of what the sign has done for his business. He noted that he had no intentions for the sign to offend anyone.

VIII. ADJOURN

Motion to adjourn at 6:37 p.m. Motion passed 5-0.

The Agenda for Mayor and Council Meetings is available for review in the City Manager's Office, 315 Bradley Street, Carrollton, Georgia and the City's website, www.carrollton-ga.gov after 4:00 p.m. on the Friday prior to Council Meeting. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at this meeting, the City will try to accommodate you in every reasonable manner. Please call (770) 830-2000 from 8:30 a.m. to 5:00 p.m. Monday through Friday at least 48 hours prior to the meeting. A summary of Agenda items acted upon is available within 48 hours of the meeting at the address and website listed above. Minutes to any previous meeting (once adopted) are available upon request at the number listed above.